Senate General Welfare Committee Amendment

AMENDMENT NO._____

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Signature of Sponsor

AMEND   Senate Bill No. 2134*   **House Bill No. 2713**

by deleting in Section 1(b)(3) the language "of the" and substituting instead "containing no".

AND FURTHER AMEND by deleting Section 2 in its entirety and substituting instead the following:

Section 2. Tennessee Code Annotated, Section 68-55-204, is amended by deleting the section in its entirety and by substituting instead the following:

Section 68-55-204. (a) The commissioner shall design and establish a reporting system which shall require the treating hospital to report to the department within a reasonable period of time after the identification by the treating hospital of a person with traumatic brain injury. The consent of the injured person shall not be required.

(b) The required report must be submitted on forms provided by the department and must include the following information:

(1) the name, age, and residence of the injured person; and

(2) other information requested by the department that is currently available and collected by computer in the medical records department of the treating hospital.

(c) The furnishing of the required information shall not subject the person or treating hospital providing the information to any liability or any action for damages or relief.

(d) The information provided pursuant to this section shall be used only for the purposes stated herein and shall only be used in accordance with the rules promulgated

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by the commissioner and, in all other instances, shall be confidential records as defined

in Tennessee Code Annotated Section 10-7-504(a)(1).

      (e) A treating hospital subject to the provisions of this chapter which intentionally

fails to comply with reporting or confidentiality and disclosure requirements of this

chapter is subject to a civil penalty of not more than one hundred dollars ($100) for the

first violation and not more than five thousand dollars ($5,000) for a second or

subsequent violation.

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